

SUPREME COURT OF ARKANSAS

No. 07-1249

DIANNA PAIGE SAUNDERS,
PETITIONER,

VS.

WILDER BROTHERS SAWMILL, INC.,
BOBBY D. DAVIS and LEN PITTS,

RESPONDENTS,

Opinion Delivered January 17, 2008

MOTION TO DISMISS.

2:05cv00219

WRW

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

JAN 22 2008

JAMES W. McCORMACK, CLERK
By: *Martha Sugale*
DEP. CLERK

MOTION DENIED.

PER CURIAM

We recently accepted a certified question from the United States District Court for the Eastern District of Arkansas. *See Saunders v. Wilder Bros. Sawmill, Inc.*, ___ Ark. ___, ___ S.W.3d ___ (Dec. 13, 2007) (per curiam). Now Petitioner moves to dismiss, stating no controversy exists. We note that the matter was certified to us by the District Court, not the Petitioner, and it is incumbent upon the District Court to withdraw the certified question.

Motion denied.

IMBER, J., NOT PARTICIPATING.